

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X	
MALIBU MEDIA, LLC,	:
	:
Plaintiff,	:
	:
vs.	:
	:
	:
JOHN DOE subscriber assigned IP address	:
24.90.48.223,	:
	:
Defendant.	:
-----X	

Case No. 1:15-cv-10133-RA
Judge Abrams

**MOTION FOR LEAVE TO SERVE A THIRD PARTY
SUBPOENA PRIOR TO A RULE 26(f) CONFERENCE**

Pursuant to Fed. R. Civ. P. 26(d)(1), and upon the attached: (1) Memorandum of Law in support of this motion; (2) Declaration of Colette Field in support of this motion; (3) Declaration of Patrick Paige in support of this motion; (4) Declaration of Daniel Susac in support of this motion; and (5) Chart of Verifications, Malibu Media, LLC (“Plaintiff”), respectfully moves for entry of an order granting it leave to serve a third party subpoena on Time Warner Cable, prior to a Rule 26(f) conference (the “Motion”). A proposed order is attached for the Court’s convenience.

Respectfully submitted,

By: /s/ Jacqueline M. James
Jacqueline M. James, Esq. (1845)
The James Law Firm, PLLC
445 Hamilton Avenue
Suite 1102
White Plains, New York 10601
T: 914-358-6423
F: 914-358-6424
E-mail: jjameslaw@optonline.net

Attorneys for Plaintiff